

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Atsushi Miyawaki et al.

Group Art Unit: 1656

Appl. No.: 10/561,040  
(U.S. National Phase of PCT/JP2004/08790)

Examiner: Chih Min Kam

I.A. Filed: June 16, 2004

Confirmation No.: 3808

For:

FLUORESCENT PROTEIN

**RESPONSE UNDER 37 C.F.R. § 1.111**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop AMENDMENT  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

This paper responds to the Office Action mailed March 3, 2009. In view of the following remarks, Applicant respectfully requests reconsideration and withdrawal of the rejections made therein. Inasmuch as the Office Action sets a three-month shortened statutory period for response, to end June 3, 2009, Applicant submits that no fee is due at this time. However, if any fees are necessary to maintain the pendency of this application, Applicant authorizes the Office to charge such fee to Deposit Account No. 19-0089.

**Amendments to the Claims** are reflected in the Listing of Claims beginning on page 2 of this paper.

**Remarks** begin on page 10 of this paper.